

November 21, 2011

The Regular Scheduled Meeting of the Lehighon Borough Council was held in the Municipal Building on Monday, November 21, 2011. The meeting was called to order at 7:30 p.m. by President Grant Hunsicker. Members in attendance were: Dale Traupman, Melissa Wagner, John Bird, Darryl Arner and Scott Rehrig.

Officials in attendance were: Solicitor James Nanovic, Officer-in-Charge Sgt. Joe Lawrence, Mayor Donald Rehrig, Fire Chief Gary Frable, Borough Engineer Bruce Steigerwalt, Secretary Brenda Koons and Borough Manager Nicole Beckett. Absent: Councilor Bessie Bauchspies and Treasurer Kira Michalik.

Pledge of Allegiance

Guest Speaker: Todd Zimmerman of LDIC – Recognition of partnerships in progress

Mr. Zimmerman touched on the Community Brick Paver project they have going on in the lower park in the circle around the fountain. Since their recent meeting with some members of council they will complete the project in the spring of 2012 after the borough completes some major repairs first.

They also will be having three events next year. They are Lehighon Community Day, Saturday, May 12th at the Lehighon Grove along with the 3rd Annual Lehighon Amazing Race, and another planting of flowers along the pathways into the park all on the same day. They will be hosting the 14th Annual Bike Nite on Saturday, August 11, 2012 and the Lehighon Fall Fest sometime in October.

The proceeds from these events will go toward long term goals. One of these goals is to possibly have an expanded camera network to help with the safety of residents and merchants in the downtown. They are also looking at possibly developing the river front for economic activity and possibly purchasing a building in the downtown as incubator space for small businesses.

Mr. Zimmerman said he would also like to encourage any business owners, community activists and individuals from the area to attend their meetings held at the Legion the 1st Thursday of every month at 6 p.m.

He wanted to acknowledge some of LDIC's volunteers starting with Mary Lou Horvan who was not present, Danielle Andreas, Frank Potoczak of Castle Grill and Secure Technologies, Mark Nerak of EduCare, Dale and Georgia Traupman, Karen Reichard and her daughter, who is a junior at Lehighon High School, Elizabeth Reichard, Matt Fisher who is a teacher at the high school and head of the National Honor Society, Cheyenne Kleintop and John Strauss who are national honor students but who could not be present, and a special thanks to Brenda Koons the Borough Secretary for her past involvement.

LDIC has also started a Partner's in Progress program to acknowledge donations by businesses and individuals. Each year the amounts accrue and once the total rises to the silver level of \$1,000 their name will be on a sign to be erected in the park next year. We hope this will spur more donations by the community.

Todd introduced the top contributors so far. Renee Biechy of Jim Thorpe National Bank, Jason Rappa of Rappa Law Office, Tom and Celeste Silvonek of 1st National Pharmacy, Nathan Andreas of Andreas Plumbing and Heating, Todd Kriner of Ovsak's Funeral Home, Fred and Donna Kemp of the Boulevard Drive-In and Dale and Georgia Traupman who have also made donations.

Todd said there are some who have made \$1,000 donations. They will be the first to be on the sign in the park and they will also receive a plaque. They are: David Walker of Walker Landscaping for donating \$1,000, David Grow and David Drukenmiller of 1st Niagara Bank for donating \$2,500, Frank Potoczak of Secure Technologies and Castle Grill for donating \$5,000 and Terry Collins of Lowe's who donated \$7,500.

Hearing of Person's Present

Joe McConnell of 2652 Turwood Drive West, Macungie wanted to ask council about consideration in giving him a waiver to Ordinance 447. Attorney Greek sent a letter to council on his behalf relating to the Floodplain Ordinance so Mr. McConnell can move forward with getting his permits to build a pole building on Maiden Lane.

The Solicitor said the letter needs to go to Mr. Quinn for a decision and if Mr. McConnell doesn't like the decision then it will go to council.

Bruce asked Mr. McConnell if he spoke to FEMA or made application for letter of map amendment and Mr. McConnell said no. His surveyor said that the floodplain was established prior to the construction of 5-7 dams that feed tributaries to the Lehigh. Bruce said that the current FEMA maps that we work with became effective in June of 2002. All the flood control dams that were built were already in existence prior to 2002. Mr. McConnell said the other aspects he is looking at is that if he builds his building according to the FEMA maps it will be starting his building 7 1/2 feet higher than the people next door who are only 3 feet away. He would then have a 7 1/2 foot retaining wall next door to the neighbor.

Kris Walk of 523 Coal Street passed out an article from a newspaper regarding landlords and properties. He is a renter himself and tries to do repairs as he can himself and not bother the landlord with little things. From what he read in the article, if there are damages or major repairs needed to be brought to the landlord's attention the renter could go to this borough department about it and Mr. Walk wondered if the borough had any kind of coordinator or operator.

The solicitor said he has never seen one but knows a lot of municipalities have these land lords ordinances that require the landlords to live within 20 miles or have someone within 20 miles be responsible for the

property. Also if you have a number of violations your permit to rent could be revoked.

Mr. Walk said he does report things to his landlord and they try to make repairs as possible but he has been having trouble lately. He wondered if the borough had such a person doing this in/for the borough.

The solicitor said the borough has never considered this. Nicole said it can be looked at and discussed. The problem is enforcement and it being a full time job for some one.

Mr. Walk also questioned the fact he cannot park at his home do to the employees of Koch's parking in those spots. The service trucks are parked in the store lot and the employee's park in front of his home. This is especially troublesome in the winter when you bust your hump shoveling out a spot for your vehicle in front of your home.

The solicitor said all we can do is ask Mr. Koch if he could ask his employees park on 6th street or in the lot behind the store.

Approval of Minutes

Councilors Rehrig/Wagner made the motions to accept the minutes from the Regular Meeting of July 25, 2011, August 22, 2011 and Special Meeting of November 9, 2011.

New Business

Motion to adopt Ordinance 598-2011 Amending Chapter 171 of Borough Code – adding a provision regarding exterior property areas

Councilors Wagner/Traupman made the motions to adopt and all were in favor.

Motion to adopt Ordinance 599-2011 Amending Earned Income Tax

Councilors Wagner/Rehrig made the motions to adopt and all were in favor.

Motion to approve hiring Attorney Robert Frycklund as Zoning Hearing Board Solicitor effective January 2012

Councilors Rehrig/Arner made the motions to approve and all were in favor with no questions or objections.

Motion to accept 3 year audit proposal from Hutchinson, Gillahan and Freeh, P.C.

The Borough Manager said it is definitely a cost savings to the borough to do this.

Councilors Rehrig/Wagner made the motions to accept and all were in favor with no questions or objections.

Motion to appoint Michael Hopstock as Lehighon representative to Carbon County Solid Waste Advisory Committee

Councilors Arner/Bird made the motions to appoint and all were in favor with no questions or objections.

Motion to approve the Zoning/Code Enforcement Officer Job

Description

Councilors Rehrig/Wagner made the motions to approve and all were in favor with no questions or objections.

Notice of Commonwealth commitment of \$1,750,000 in RACP funding for the Fire Station Construction Project

This is just a matter of information for council that we were given notice of the commitment of funding for the project. This is the re-release and the grant agreement will be sent to us soon.

Recommendations from the Winter Maintenance Meeting

The Borough Manager said the police department and public works were in attendance at the meeting and they went through items that needed to be discussed and these are the 4 that came out of it. She wanted to put them on the table to see if council was interested in moving forward with any of them along with the fact that it mentions the Water Authority Rapid Response System. They are willing to let us use the system and we will pay per use of the system. We will also receive training on the system.

- A. All attendees agreed that the borough should implement "voluntary" odd/even parking borough wide for the 2011/2012 year as a trial.
- B. Change accumulation language from 2 to 4 inches based on forecast.
- C. Look into ordinance restricting parking from November to April in certain alleys

Councilors Traupman/Wagner made the motions to try items A, B, and C and all were in favor with no questions or objections.

D. Recommend advertising for seasonal part time employee as per guidelines of CBA.

Councilors Wagner/Traupman made the motions to advertise for a seasonal employee from November 1 to March 31 and May 1 to August 31 with Al and Nicole doing the interviews and all were in favor with no questions or objections.

Unfinished Business

Continued discussion of Peter Turko's project

The solicitor said he was going to turn to Bruce because it seems like Mr. Turko did the paving. Bruce said the paving was finished but since no one called Bruce to let him know the paving was being done Bruce has no way to know if it was done according to plan. Mr. Turko suggested bore samples and Bruce agreed to this as long as Bruce chose the bore spots. That's where it stands right now.

The other issue is the fence around the parking lot. It is a chain link fence but there are no privacy slats which are required. Those are the two items holding up the completion of the project. We have the "as built's" which are fine.

Continued discussion on Local Service Tax proposal

Nicole said this was brought back from the last meeting. After thinking about this, Nicole realized she could not ask Mary Strohl to change her commission as that comes up at election time only. An analysis was done on what Mary collects compared to what Centax would be and the

difference is about \$200. In talking to Mary, Nicole feels Mary does have a firm grip on OPT as it stands and would recommend staying with her as she has everything already in place. If we decide in future years that we can do better we can go that route then.

Continued discussion of Judge's Stand

Nicole said she just wanted to keep this on the table. If the committee wanted to meet with her and Bruce to decide what they want to do even if it is just repairing the roof she will set up a meeting.

Official's Reports

Borough Engineer

The requirement for hooking up to the sewer on East Side Avenue was looked at back in August. Bruce had received letters from the solicitor regarding the Notice to connect, the payment agreement and tapping fee. Some are anxious to connect some have said nothing. In the agreement it gives the residents 60 days to connect but Bruce is wondering if Council could give them to next June because of the winter months. The solicitor said we could just delay sending out the formal demand to connect until April and just send out an informal letter stating the tapping fees and other conditions the will be required in spring.

Bruce also brought up that Charlie Uhler was the inspector and has since passed away. Was anyone else ever appointed to that position and do we have a sewer application form for who is the plumber and do we want them to be registered with the borough. By today's state laws all licensed plumbers must be registered with the state and should be required to supply that number to the borough. If we don't have the form one should be made up and an inspector should be appointed.

The question came up as how the residents could make payments for the tapping fee. The borough secretary said that for as long as she has been here the payments have been spread out over 5 years of monthly payments.

Bruce said he and the solicitor had discussed this and felt that an initial payment of \$525 and the balance of \$3,675 in quarterly payments of \$525 for a total of 7 payments over 2 years with a 2% interest rate plus the fees for filing a municipal lien and the preparation fee of that lien of \$43.90 and \$75. Council felt this was fair.

Councilors Rehrig/Wagner made the motions to approve the draft connection agreement and all were in favor with no questions or objections.

The salt shed walls were set on top of the concrete walls and they were going to work until they had the trusses set. All the materials are there and complete within the next week or so.

Officer in Charge

Thanked council for letting them try the odd/even parking.

Mayor

A thank you letter was sent out to the fire police from Mahoning and Franklin for their help with the Halloween Parade.

The mayor asked for council to consider free parking downtown for the holidays from Thanksgiving Day until January 2, 1012.

Councilors Rehrig/Wagner made the motions to approve and all were in favor with no questions or objections.

The mayor also asked if we were doing the Christmas Lighting contest again this year.

Councilors Traupman/Wagner agreed to hold the contest again with a total of \$250 in prizes and volunteered to choose the winners.

Fire Chief

Nothing

President of Council

Nothing

Borough Manger

She had given council her report for the month. The budget calendar has been delayed due to the transition in the office but is nearing its end. The General Fund will be balanced and no tax increase will required. Her goal is to have them out by Wednesday to look over during the holiday and hold a special meeting on December 7 at 6:30 to adopt the preliminary budget along with advertising the tax levy ordinance.

We are looking to sell the zoning car stripped and give the zoning officer public works blazer since public works received Light & Powers pick up.

Councilors Traupman/Wagner made the motions to sell the old zoning officer's car and all were in favor with no questions or objections.

Bidding requirements are changing for next year. Up to \$9,999.99 we don't need to do anything, \$10,000 to \$18,499 we need to obtain 3 quotes and anything over \$18,500 we need to bid out.

Solicitor

Nothing

Treasurer

The treasurer had budget action items in her report and council voted to accept them on one vote.

Councilors Rehrig/Arner made the motions to approve the \$150,000 transfer for L&P Fund to the general Fund, transfer \$52,000 to the Annex Loan, transfer \$40,000 to Wells Fargo for the Fire Equipment Fund and to transfer \$7,335.74 to S&K Escrow account for the Police Department contract and all were in favor with no questions or objections.

Committee Reports

Finance & Administration – Darryl Chairman, Melissa Co-Chair – nothing to report.

Streets, Buildings & Codes – Dale Chairman, Bessie Co-Chair – nothing to report.

Police, Fire & Safety – Scott Chairman and John Co-Chair – nothing to report.

Light & Power Committee – John Chairman, Scott Co-Chair – Nothing to report.

Sewer Committee – Bessie Chairwoman, Darryl Co-Chairman – nothing to report.

Public Works & Recreation – Melissa Chairwoman, Dale Co-Chair – nothing to report.

Acceptance of Officials' Reports

Councilors Rehrig/Arner made the motions to accept and all were in favor with no questions or objections.

Approval of Accounts Payable

Councilors Arner/Rehrig made the motions to approve the accounts payable and all were in favor with no questions or objections.

Adjournment

Motion to go in to Executive Session for Personnel Reasons

Councilors Bird/Arner made the motions to go into executive session at 8:45 p.m.

Motion to go back into Public Session

Councilors Rehrig/Wagner made the motions to go back into regular session at 10:30 p.m.

Action on Any Items Necessary as a Result of Executive Session

Councilors Rehrig/Traupman made the motions to accept Bonnie Harley's retirement effective December 30, 2011 and all were in favor with no questions or objections.

Councilors Rehrig/Traupman made the motion to hire Crystal Marx cleaning service on a 6 months trial basis for borough hall and all were in favor with no questions or objections.

Councilors Wagner/Traupman made the motions to advertise for a mechanic and all were in favor with no questions or objections.

Councilors Traupman/Wagner made the motions to hire Steve Schickram as zoning officer conditional upon background check coming back with nothing more than a DUI on it at a salary of \$30,000 with a 6 months trial period and all were not in favor. A roll call vote was taken with 4 yes and 2 no. Motion carried.

Motion to Adjourn the Meeting

Councilors Rehrig/Wagner made the motions to adjourn at 10:40 p.m. and all were in favor.

Brenda L. Koons
Borough Secretary